

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

JOHN BARNHARDT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
and	)	
	)	
UNITED STATES OF AMERICA,	)	Civil Action No. 4:65-cv-01300-HTW-LRA
	)	1300(E)
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
MERIDIAN MUNICIPAL SEPARATE	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	
	)	

**PRIVATE PLAINTIFFS’ MOTION TO ADD NAMED PLAINTIFFS**

Plaintiffs John Barnhardt *et al.* (collectively, “Private Plaintiffs”) respectfully request this Court add individuals, Brandy Steele and Jacqueline Richardson, to this lawsuit pursuant to Rules 17, 19, and 21 of the Federal Rules of Civil Procedure. In support of the foregoing, Private Plaintiffs state the following:

1. The original Named Plaintiffs filed this lawsuit on May 10, 1965, against the Meridian Municipal Separate School District (the “District”) in the Southern District of Mississippi as a class action seeking the “disestablishment of its racially dual system.” Consent Decree, ECF No. 36 at 1.

2. The original Named Plaintiffs brought this case as a class action “on their own behalf and on behalf of all other Negro children and parents in the city of Meridian, Lauderdale County, Mississippi, who are similarly situated and affected by the [District’s] policies, customs and

usages.” Docket No. 1 at 6 ¶ V (May 10, 1965). Plaintiffs sought “common relief” for “each member of the class.” *Id.*

3. Brandy Steele and Jacqueline Richardson (collectively, “Movants”), are the parents of Black children currently enrolled in schools that Defendant Meridian Municipal Separate School District operates. Movants, like the original named Plaintiffs, seek class wide relief on their behalf, on behalf of their Black children,<sup>1</sup> and on behalf of all other parents or legal guardians and their Black children who are similarly situated and affected by the District’s actions and policy. Movants are also citizens of the United States and residents of Lauderdale County, Mississippi.

4. The above-captioned case was initiated prior to the amendment of Rule 23 of the Federal Rules of Civil Procedure, which created the modern requirements for a class certification. However, the Complaint pleaded the elements of a Rule 23 class action:

[M]embers of the class on whose behalf plaintiffs sue are so numerous as to make it impracticable to bring them all individually before this Court, but there are common questions of law and fact involved, common grievances arising out of common wrongs. A common relief is sought for each plaintiff and for each member of the class. The plaintiffs fairly and adequately represent the interest of the class.

Docket No. 1 at 6 ¶ V.

6. The addition of Movants will not prejudice the District, in that it will not create any additional obligations beyond those created by the previous rulings in this case; moreover, Movants’ interests mirror those of the existing Plaintiffs. Indeed, throughout the past 50 years of litigation, the case has functioned as a class action and the Defendants have never suggested otherwise.

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<sup>1</sup> Brandy Steele’s minor children attend Meridian High School (S.S., grade 12) and Carver Middle School (K.S., grade 8); Ms. Richardson’s minor child attends Meridian High School (S.D., grade 11).

This motion is based on Private Plaintiffs' supporting Memorandum and the following:

Exhibit 1: Complaint filed May 10, 1965

For the foregoing reasons, Private Plaintiffs respectfully request the Court grant this Motion to add Plaintiffs. In accordance with Local Rule 7(b)(1), Private Plaintiffs have conferred with the United States and the District about this non-dispositive motion. The United States does not oppose Private Plaintiffs' Motion. At the time of this filing, the District has not confirmed its position.

Dated: June 27, 2018

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of June 2018, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel record.

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